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ADDIS ABABA FOR USAU
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SUBJECT: SPLM POLITICAL BUREAU CONSIDERS ELECTIONS AND ICC
INDICTMENTS

¶1. (SBU) Summary: Over the last three days ConGen Juba has held separate discussions with four members of the SPLM Political Bureau (PB) that met in Juba over the July 26 and 27 weekend and two other senior members of the GOSS. Despite press reports that GOSS President Salva Kiir has announced that he will run for the GNU Presidency in 2009, Political Bureau members and others say only that Kiir and the party have agreed to contest the elections at all levels. The agenda of the PB meeting was entirely focused on what strategy the SPLM should take to keep the CPA alive until 2011 in the event that ICC judges hand down arrest warrants for GNU President Bashir.

¶2. (SBU) Although opinions varied on the positive and negative impact of the ICC indictments among the six contacts (some viewing them as good pressure on Bashir and some as a potential threat to the peace), all were focused on how to keep the Comprehensive Peace Agreement (CPA) on track no matter what the ICC judges decide. To a person they view their primary objective as getting to the 2011 referendum so that the South can make a peaceful break with the North. Not one thought there was any longer a hope of Sudan staying united after 2011.

¶3. (SBU) Despite persistent press reports that Kiir announced he will stand for the GNU presidency in 2009, all these members of the SPLM reported that no such decision has yet been made. What the PB unanimously agreed upon, they said, was that the SPLM would "contest the elections at all levels, top to bottom." The clear implication, they agreed, was that Kiir would run, but the actual decision has not finally been made.

¶4. (SBU) The more candid of the 4 PB members admitted that the problem Kiir faced was that it was highly unlikely he could win the presidency of the GNU. For the most part, all of them believed that Bashir, especially a Bashir indicted by the ICC, had no choice but to hang on to power at any price, often quoting the Sudanese proverb, "From the office to the grave." Bashir must either find a way to cheat in the election, call it off, or stage a coup if he loses. His only other option is to lose and go to prison, which all agreed he would never consider.

¶5. (SBU) If Kiir runs for the GNU presidency and loses, he cannot at the same time run for the presidency of the GOSS, and so he loses all elected political positions. Asked who in the SPLM would run for the GOSS presidency if Kiir did not, no one would even venture a guess, let alone an answer. There is an unstated fear that, without Kiir, GOSS VP Machar could be unchecked.

¶6. (SBU) What is being broadly hinted at is that Kiir will continue to imply that he will run for the GNU presidency until the last possible moment, without making an official commitment to actually do so. This, it is felt, will keep the pressure on Bashir to work out some kind of electoral agreement acceptable to an SPLM whose primary goal is not to win the national presidency, but to hold the 2011 referendum. As one of the five said, "It is time for the NCP

to decide if it wants half, or nothing." The implication was that the SPLM might allow Bashir to steal or simply have the top spot on the ticket without protest, provided that the SPLM and its allies are allowed to control the National Assembly and write the 2011 referendum law. In that event, Bashir keeps his presidential immunity, and the South gets independence. By holding off on an announcement until late, Kiir can then still run for the presidency of the GOSS at the last minute.

¶7. (SBU) Another scenario proposed by a PB member is that the ICC indictments will place enough strain on the NCP that it will fracture, some in support of Bashir and some in support of an alternate candidate. If an anti-Bashir faction of the NCP joined with other political parties to elect a more moderate candidate from the North, the SPLM might not contest the election at the top after all, while still trying to win a majority in the National Assembly.

¶8. (SBU) Comment: SPLM electoral strategies are still nascent, and given the ICC indictment of Bashir, political discussions are in flux. It is difficult in an extremely volatile Sudan, made more so by the ICC announcement, to read the political tea leaves a year out from elections, though both parties appear intent on maintaining at least the status quo. Although it may not be reasonable for the SPLM to expect a majority in the parliament, a guarantee that they can control the drafting of the referendum law will probably meet their needs. The SPLM's guiding interest is to keep the CPA on track until the 2011 referendum, and constant posturing regarding elections should be viewed in that context.

FERNANDEZ